

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, November 9, 1999
Tuesday, 9:04 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Gale, Lambke, Martz, Pisciotte, Rogers; present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by - Rev. Marvin Hostetler, First Church of the Brethren.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

The minutes of the regular meeting of November 2, 1999, were approved 7 to 0.

AWARDS AND PRESENTATIONS

PRESENTATION

Drug-Free pledges were presented by students from Bryant Elementary.

PROCLAMATIONS

Proclamations previously approved were presented.

NEW BUSINESS

IRB-BOEING

PUBLIC HEARING AND REQUEST FOR LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS-THE BOEING COMPANY. (District III)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 99-1112.

Since 1979, the City of Wichita has approved over \$3 billion in Industrial Revenue bond financing, in conjunction with ad valorem tax exemptions, to Boeing Commercial Airplane Group, Wichita Division "Boeing Wichita", a division of The Boeing Company. According to the company, the City's support for Boeing Wichita has helped ensure ongoing modernization and continuing competitiveness in the commercial and military aircraft industry.

The current Letter of Intent, issued to Boeing Wichita on March 24, 1992 in an amount not-to-exceed \$2 billion, will expire on March 24, 2000. The remaining balance in the current Letter of Intent will be nearly exhausted with Boeing's next IRB issue. The Boeing Company now requests a new five-year Letter of Intent in an amount not-to-exceed \$1 billion. In conjunction with the bond financing, Boeing Wichita also requests a 100% ad valorem property tax exemption on real property improvements and new manufacturing equipment financed with the bond proceeds.

Boeing Wichita, located on both sides of Oliver Street from 31st Street South to South of 47th Street, is Kansas' largest employer, with approximately 17,000 employees and an annual payroll slightly under \$1 billion. Boeing Wichita is engaged in manufacturing support of Boeing commercial airplanes and commercial and military aircraft modification. All Boeing Wichita sales are exported out of the state of Kansas.

Bond proceeds will be used for acquisition of new, advanced manufacturing equipment, expansion of existing facilities, and construction of new facilities. Some of the planned equipment purchases include test equipment,

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flight support equipment, a material holding system, fusion bonding and modification support equipment. Boeing advises the new equipment will have no adverse effect on Wichita's ambient air quality.

Acquisition of advanced technologies and the construction of new facilities is required for Boeing Wichita to compete for commercial and military production, in addition to sustaining on-going production programs. Bond proceeds will also serve in the important role of research and development; a vital activity in the aerospace industry. Bond proceeds, will also have a substantial impact in stabilizing Boeing Wichita employment, thereby helping Wichita retain critical professional, technical, and highly skilled employees. The economic impact of planned upgrades and expansion has a direct cascade effect on numerous engineering and architect firms, machine shops, and material providers in Wichita.

The firm of Kutak Rock of Omaha, Nebraska will serve as bond counsel in the transaction. The Boeing Company will purchase the bonds, as a result there is no need for an underwriter. Boeing Wichita agrees to comply with the Standard Conditions contained in the City's IRB Policy. Wichita State University Center for Economic Development and Business Research performed a cost-benefit analysis using both the Wichita and Derby school districts. The resulting benefit-cost ratios are 1.22 to 1 for the City; 1.17 to 1 for the County; 1.0 to 1 for the U.S.D. 260; and 6.73 to 1 for the State.

The Boeing Company agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. The Boeing Company qualifies for a five-plus-five-year 100% property tax exemption on the bond financed property on the basis of membership in the local aircraft manufacturing community, level of capital investment, and 100% out-of-state sales exportation. Ad valorem tax exemption is subject to Council review at the end of the first five-year period.

Mayor Knight Mayor Knight spoke of the City's commitment to partnering with local companies and said the Boeing facility in Wichita has allowed the City to compete globally.

Council Member Pisciotte Council Member Pisciotte said economic development boils down to the creation of jobs necessary to continue quality of life. This is a classic partnership between private enterprise and local government.

Jeff Turner Jeff Turner, Vice President and General Manager of the Wichita Division of The Boeing Company, said there is a tremendous relationship between the City, County, and the Boeing operation in Kansas.

"Approval of this letter of intent will help assure Boeing Wichita's viability to remain a cost competitive site well into the next century. Since our merger with McDonald-Douglas, the Boeing Company's operation has expanded from nine states into twenty-seven states and locations. And, while it is true that our major competitor, on a world-wide scale, for our products is AirBus, Boeing Wichita actually has competitors across the world and across the Company from in sister divisions and other aerospace vendors who are continuously competing with us to make their sites more attractive to do new or expanded business.

"During the past two years, we have faced some significant challenges, including an announced reduction in our workforce as a result of softer commercial airline markets - primarily in Asia. Economic indicators, though, do appear to signal that we are nearing the bottom of the market cycle. And, I pray that that is true.

"Boeing is already feeling the impact of better financial conditions. In the last two quarters, we have exceeded the financial market's expectations. Although we know we have a long way to go, we are confident about our future.

"This year, we will deliver approximately 620 aircraft out of the Seattle and Long Beach facilities, which is a commercial aviation delivery record. Many of those units were produced here in Wichita, last year or earlier this year.

"Over the next twenty years, worldwide passenger traffic is expected to grow at an annual rate of 4.7 percent. This will result in a worldwide demand for over 20,000 new commercial airplanes worth, we believe, over \$1.3 trillion dollars - all through the year 2018.

"With this Council's support, Boeing Wichita, in the past, has invested and remained competitive. We have put in state-of-the-art manufacturing technologies and, as a result of that, we have secured a significant role in the company's new generation airplanes. In fact, over half of the jobs that we have today did not exist within the Boeing Company nine years ago. Half of our workforce in Wichita, plus a few percent, are working on the 777 and 737 next generation airplanes - all of whom the capital and the equipment was financed with industrial revenue bonds as a result of our partnership with the City of Wichita.

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"Our ability to protect and increase our market share and to build cost-effective products that the market demands requires one thing - unwavering optimism , but it also demands the second thing - a continuous investment in our future. With your support, Boeing Wichita will remain one of the most advanced and cost competitive airplane manufacturing sites in the world, and will continue to be a major operating location with significant responsibilities within the Boeing Company.

"And, I want to say, personally, for what you have done in the past and what you are doing now, thank you."

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Lambke moved that the public hearing be closed; a five-year Letter of Intent to The Boeing Company for Industrial Revenue Bonds in an amount not-to-exceed \$1,000,000,000 (one-billion) be approved; a 100% tax exemption on the proposed project, subject to Standard Letter of Intent conditions be granted; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

PAVING WACO

PAVING PETITION - WACO FROM 26TH STREET NORTH TO 27TH STREET NORTH. (District VI)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 99-1113.

The signatures on the Petition represent 15 of 25 (60%) resident owners of 62.5% of the improvement district area. On October 13, 1999, CPO Council 6 considered the Petition. The Council voted 7-0 to recommend approval.

Waco, from 26th Street North to 27th Street North, is a sand road that provides access to an area comprised predominately of single-family homes.

The estimated cost of the project is \$105,000 with the total assessed to the improvement district. The proposed method of assessment is the square foot basis. The estimated assessment rate is \$00.50 per square foot of ownership.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Sybil Strum

Sybil Strum asked what the project was going to cost and whether it would show up this year on taxes.

Mike Lindebak

City Engineer explained the process.

Motion --

Cole moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

-- carried

RESOLUTION NO. R-99-431

Resolution of findings of advisability and Resolution authorizing improving of Waco, from the north line of 26th Street North to the south line of 27th Street North, 472-83152, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

PAVING FAIRVIEW

PAVING PETITION - FAIRVIEW FROM 32ND STREET NORTH TO 33RD STREET NORTH. (District VI)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 99-1114.

The signatures on the Petition represent 11 of 16 (68.8%) resident owners of 62.1% of the improvement district area. On October 13, 1999, CPO Council 6 considered the Petition. The Council voted 7-0 to recommend approval.

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Fairview, from 32nd Street North to 33rd Street North, is a sand road that provides access to an area comprised predominately of single-family homes.

The estimated cost of the project is \$91,000 with the total assessed to the improvement district. The proposed method of assessment is the square foot basis. The estimated assessment rate is \$00.48 per square foot of ownership.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

-- carried

Cole moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. R-99-432

Resolution of findings of advisability and Resolution authorizing improving of Fairview, from the north line of 32nd Street North to the south line of 33rd Street North, 472-83150, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

PAVING JACKSON

PAVING PETITION - JACKSON FROM 26TH STREET NORTH TO 27TH STREET NORTH. (District VI)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 99-1115.

The signatures on the Petition represent 11 of 26 (42.3%) resident owners of 50.003% of the improvement district area. On October 13, 1999, CPO Council 6 considered the Petition. The Council voted 7-0 to recommend approval.

Jackson, from 26th Street North to 27th Street North, is a sand road that provides access to an area comprised predominately of single-family homes.

The estimated cost of the project is \$109,000 with the total assessed to the improvement district. The proposed method of assessment is the square foot basis. The estimated assessment rate is \$00.51 per square foot of ownership.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Al Langhofer

Al Langhofer said the cost of paving is great and will be passed on to renters. Mr. Langhofer said he had signed the petition not know the costs of the project. The permanent financing costs were not included in the presentation.

Wendell Turner

Wendell Turner said he had handed Mr. Langhofer the paper with the project costs and went over the matter at the time Mr. Langhofer signed the petition.

Mr. Turner said the project will also improve drainage.

Council Member Cole

Council Member Cole said the value of paving improvements accrues to the property owners and is critical to the entire area.

Motion --

-- carried

Cole moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. R-99-433

Resolution of findings of advisability and Resolution authorizing improving of Jackson, from the north line of 26th Street North to the south line of 27th Street North, 272-83160 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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PAVING 26TH STREET PAVING PETITION - 26TH STREET NORTH FROM ARKANSAS AVENUE TO WICHITA STREET. (District VI)

Mike Lindebak City Engineer reviewed the Item.

Agenda Report No. 99-1116.

The signatures on the Petition represent 36 of 71 (50.7%) resident owners of 52.17% of the improvement district area. On October 13, 1999, CPO Council 6 considered the Petition. The Council voted 7-0 to recommend approval.

26th Street North, from Arkansas Avenue to Wichita Street, is a sand road that provides access to an area comprised predominately of single-family homes.

The estimated cost of the project is \$221,000 with \$163,500 assessed to the improvement district and \$57,500 paid by the City. The proposed method of assessment is the square foot basis. The estimated assessment rate is \$00.28 per square foot of ownership. The City share is for the cost of intersection paving. The funding source for the City share is General Obligation Bonds.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- Cole moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and
-- carried Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. R-99-434

Resolution of findings of advisability and Resolution authorizing improving of 26th Street North, from the east line of Arkansas to the east line of Wichita Street, 472-83149 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

ELECTRICAL CODE ORDINANCE CHANGES TO THE ELECTRICAL CODE - TITLE 19.

Kurt Schroeder Superintendent of Central Inspection reviewed the Item.

Agenda Report No. 99-1117.

The National Electrical Code, published by the National Fire Protection Association, is revised and updated every three years in order to keep current with changing industry standards and practices. The 1999 edition of the NEC is the latest and most current edition. Presently the City of Wichita is enforcing the 1996 edition. The Board of Electrical Appeals reviewed the 1999 National Electrical Code with Office of Central Inspection staff at their February 9, March 9, April 13, and August 10, 1999, regular Board meetings, and unanimously recommends to City Council that the 1999 edition of the National Electrical Code be adopted (by reference) as the electrical wiring standard for the City of Wichita.

Significant discussion and code change items included the following:

? The City of Wichita Electrical Code requires a surety bond in the principal amount of five thousand dollars (\$5,000.00) be filed with the City Clerk for electrical contractors doing business in the City. The Board of Electrical Appeals met with Senior Assistant City Attorney Doug Moshier, to review the bond requirement, and determine if it is necessary due to the fact liability insurance is now also required for all contractors. After thorough review and discussion the Board of Electrical Appeals unanimously agreed to recommend this ordinance section be repealed.

? Section 230-40 of the NEC contains requirements for the number of service-entrance conductor sets that may be installed to buildings and structures. Mr. Dale Johnson, a licensed electrical engineer of the State of Kansas met with the Board to discuss this section of the NEC. His main concern focused on the multiple grounding paths that would be required which would violate other sections of the NEC. The Board of Electrical Appeals reviewed this section in detail and unanimously agreed to recommend amending this section of the NEC.

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The proposed changes are as follows:

Section 19.08.130: (Bond Required). Repeal this section.

Section 19.12.010: (Installation standards). Amend this section to reflect adoption of the 1999 edition of the National Electrical Code (NFPA 70-1999).

Section 19.12.040: Create new section to amend section 230-40 of the 1999 NEC.

There are no changes to present permit, license and examination fees.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion – carried

Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance repealing Section 19.08.130 of the Code of the City of Wichita, Kansas; amending Section 19.12.010 of the Code of the City of Wichita, Kansas and repealing the original thereof; and creating Section 19.12.040; all pertaining to the Electrical Code of the City of Wichita, Kansas, introduced and under the rules laid over.

CONSOLIDATED PLAN HUD CONSOLIDATED PLAN.

Tom Smith

Grants In Aid Coordinator reviewed the Item.

Agenda Report No. 99-1118.

In 1995, the Department of Housing and Urban Development (HUD) issued new regulations regarding the planning and application process for three grant programs. In 1995, HUD began to require local governments to submit Consolidated Plans and combined applications for the Community Development Block Grant (CDBG); Emergency Shelter Grant (ESG); and Home Investment Partnership Grant (HOME) programs. As part of the requirements, local units of government also were required to develop Five-Year Strategic Plans (2000-2004) with priority needs established. In addition, One-Year Action Plans, outlining specific activities and grant funding sources for the fiscal year, were also part of the HUD requirements. It is now time to develop the annual plan submittal required for 2000-2001.

Preparation for the 2000-2001 program year is based on 1999-2000 City Council action and action by the Council on October 26, 1999 regarding the 2000-2004 Priority Needs. The City Council is requested to consider: (1) composition of the 13 member Grants Review Committee to review applications for funding; and (2) designating and reserving special funding and allocations.

1. Grants Review Committee - Currently thirteen (13) persons representing various agencies and organizations comprise the Grants Review Committee. No change in the composition of the Grants Review Committee is being recommended.

2. Funding Reservations and Designated Funding - For the past few years, the City Council has revised its procedure to ensure special programs (priorities) would be addressed on an outcome basis. Through a Request for Proposal (RFP) process, those programs felt to be high priority (and traditionally funded from grant sources) were developed based on a required "scope of services" where performance could be monitored and evaluated. In the past, such programs included: Home Repair (Housing), Youth Employment, Women/Family Crisis Shelters, and Youth Recreation/Enrichment Programs (Public Services). To meet previously established goals, it is recommended that the City Council continue those programs in the 2000-2001 allocations.

In addition to the (above) designated programs, the following allocations are being proposed:

1. Streets/Sidewalks (Neighborhood Improvement Program and Handicap Improvements)
2. Neighborhood Centers/Community Facilities
3. Neighborhood Improvement Services & Grants/Loan Program
4. Neighborhood Stabilization

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5. CPO & Neighborhood Assistance Office
6. Colvin/Planeview/Northeast Health Services
7. Historic Preservation/Mandated Activities
8. Consolidated Program Grant Administration (Direct & Indirect costs)

The City Council needs to determine if these programs - traditionally funded - should be designated and funding reserved and if there are other special programs desired by the City Council that should be reserved, such as additional neighborhood revitalization and improvement projects.

Restricted Public Service Expenditures: Each year, the City Council has discussed the allocation for the Public Service Category under the CDBG program. The City has funded approximately 29% of its CDBG funds for Public Services, representing about twice as much as other communities surveyed for these purposes. HUD currently limits the amount to 15%, except where cities exceeded this amount prior to the imposed restrictions. With the long-term decline in CDBG funding, the City Council may wish to consider a funding reservation for Public Services which proportionately reduces this Category.

Policy Issues/Questions for consideration:

1. Does the City Council wish to re-establish or revise its funding priorities for 2000-2001?
2. Does the City Council wish to reserve more of its CDBG funding for special priority programs/services and capital projects?
3. Should more programs be solicited from the RFP process to encourage collaborative and cooperative efforts among service providers and lower costs.
4. Does the City Council wish to designate those City provided services/programs traditionally funded from CDBG and HOME funds?
5. Should the percentage for Public Services be reduced proportionately to the declining CDBG funding?
6. Does the City Council wish to continue targeting more of its funds for neighborhood stabilization efforts?

It is anticipated that the CDBG funding will remain stable for next fiscal year based on 2000 Congressional appropriations. Although final grant amounts are not known at this time, it is estimated approximately \$5.8 million in Consolidated Grant funding will be available for allocation in the 2000-2001 program year. This total is comprised of approximately \$3.8 million in CDBG; \$1.8 million in HOME; and \$142,000 for Emergency Shelter Grants.

Each grant program is restricted to certain federal allocation limits which cannot be exceeded. These are listed for each Grant as follows:

CDBG	\$1,135,000 Public Services 20% Planning and Administration
HOME	15% Neighborhood-Based Non Profits (Minimum required allocation for CHDO's)
ESG	30% Essential Services 30% Homeless Prevention 5% Administration

Allocation of Consolidated Grant funds is also subject to individual federal eligibility rules regarding specific activities/programs and national objectives of primarily benefiting low income persons, or addressing conditions of slums or blight.

The process by which grant funds are authorized by the City Council is a matter of local determination. That is, the City Council is not obligated to solicit funding applications unless it desires to do so. The City Council may also reserve grant funds for community priority needs and programs, as determined by the City Council.

Mayor Knight momentarily absent with Vice Mayor Rogers in the Chair.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that the priorities for allocations and reservation and dedicated program funding be established; and the process for development of 2000-2001 Consolidated Plan be approved. Motion carried 7 to 0.

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OLD TOWN CINEMA

RESOLUTION CONSIDERING THE ESTABLISHMENT OF A REDEVELOPMENT DISTRICT (TAX INCREMENT FINANCING) FOR THE OLD TOWN CINEMA PROJECT. (District VI)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 99-1119.

On June 22, 1999 the City Council approved an agreement to negotiate exclusively with the City's Old Town preferred developer, David Burk, and the California-based development company, Civic Partners, for the development of a multiplex cinema and related facilities in the area immediately north of the existing Old Town Redevelopment District. The negotiations are in progress, with the objective of preparing a detailed development agreement for City Council approval in December of this year. The negotiations have served to identify tax increment financing as a potential source of funding for portions of the overall redevelopment project. In order to maximize the financial potential of tax increment financing, it is necessary for the City Council to establish the boundaries of the tax increment redevelopment district prior to the end of 1999. A resolution setting a public hearing on this matter is the first step in this process.

A series of Council actions will be necessary to implement tax increment financing for the Old Town Cinema Project. The first step is the establishment of the boundaries of the redevelopment district in which the tax increment revenues will be collected. The calculation of the tax increment will be based on the date of the establishment of the district. After the district is established, one or more redevelopment projects may be undertaken in the district over time, so long as the projects are completed within 20 years of the date of the adoption of a redevelopment plan covering the projects.

Once the tax increment financing district is established and a redevelopment plan has been adopted by the City Council, the County Treasurer will set aside all ad valorem tax revenue collected within the district which exceeds the amount that would have been collected if the property had the assessed value that was in effect during the year in which the district was first established, before any redevelopment occurred. In other words, property tax revenue that is attributable to growth in assessed value as a result of redevelopment is "captured" and transferred to the City to be used exclusively to pay for authorized improvements within the redevelopment district.

The first step in establishing the tax increment district boundaries is the adoption of a resolution which states that the City Council is considering the establishment of the TIF district and sets December 14, 1999 as the date for a public hearing on the matter. The resolution directs the City Clerk to publish the resolution in the City's official newspaper and to mail copies to the owners and occupants of all property located within the district, by certified mail.

The resolution also includes a map of the proposed district and a proposed comprehensive plan identifying potential redevelopment project areas and a general description of buildings and facilities to be constructed or improved.

Following the public hearing, the City Council may adopt an ordinance establishing the redevelopment district. The Board of County Commissioners and the Board of Education for USD 259 will have 30 days following the public hearing to determine whether the district will have an adverse impact on them, effectively precluding the use of tax increment financing. If the County and School District approve, the potential use of tax increment financing will be established. It will still be up to the City Council to approve the actual use of tax increment financing by adopting a redevelopment plan for the Old Town Cinema Project that includes tax increment financing. The tax increment revenue generated by the redevelopment project will not be collected until a subsequent redevelopment plan has been approved by the City Council.

The cost of mailing the Resolution to all owners and occupants of property located within the district will be charged to the Old Town Cinema redevelopment project and ultimately paid from TIF revenues.

The actual establishment of the tax increment financing district will not be effective until the City Council adopts an ordinance for that purpose, following the aforementioned public hearing. The City Council may amend the proposed boundaries of the redevelopment district at the time of adoption of the ordinance.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Sybil Strum

Sybil Strum spoke regarding property taxes being raised.

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Mayor Knight Mayor Knight said the jury is still out on the financial feasibility and said he concern is that this will create unfulfilled expectations in the community. The process should be kept going but there should not be the creation of expectations requiring a lot of public money.

Motion -- Cole moved that the Resolution giving notice of consideration of establishment of a redevelopment district for the Old Town Cinema Project and setting a public hearing for 10:30 a.m. on December 14, 1999 be approved.
-- carried Motion carried 7 to 0.

RESOLUTION NO. R-99-435

A Resolution stating the City is considering the establishment of a Redevelopment District for the Old Town Cinema Redevelopment District under authority of K.S.A. 12-1770 Et Seq., presented. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

(This Item was taken up later in the meeting. Action is shown in Agenda order.)

(Item No. 9)

CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Kurt Schroeder Superintendent of Central Inspection reviewed the Item and said 3089 South Clifton had been repaired and could be removed from condemnation proceedings

Agenda Report No. 99-1120.

On September 21, 1999 a report was submitted with respect to the dangerous and unsafe conditions of the buildings located on seven (7) properties. The Council adopted a resolution providing for a public hearing to be held on these condemnation actions at 11:00 a.m. on November 9, 1999.

On September 8, 1999, the Board of Code Standards and Appeals (BCSA) held hearings on the following properties:

<u>Property Address</u>	<u>Council District</u>
1. 855 East Eighth Street	VI
2. 512 North Bebe	VI
3. 1702 South Hiram	IV
4. 1151-53 South Terrace	III
5. 3441 East Roseberry	III
6. 2951 South Clifton	III
7. 3089 South Clifton	III

Pursuant to State Statute the Resolutions were duly published twice on September 24, 1999, and October 1, 1999. A copy of each resolution was sent by certified mail or given personal service delivery to the owners and lien holders of record of each described property.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard and no one appeared on Items 1, 2, 4, and 6.

Motion -- Knight moved that the public hearing be closed; that 3089 South Clifton be removed from the demolition process; the Resolutions declaring the buildings dangerous and unsafe structures be adopted for Items 1, 2, 4, and 6, and the BCSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structure be accepted. Any extensions of time granted to repair the structure would be conditioned on the following: (1) All taxes have been paid to date, as of November 9, 1999; (2) the structure(s) has/have been secured as of November 9, 1999 and will continue to be kept secured, and (3) the premises are moved and free of debris as of November 9, 1999 and will be so maintained during renovation. Motion carried 7 to 0.
-- carried

RESOLUTION NO. R-99-436

A Resolution finding that the structure located on Lots Numbered 49 and 51, in Jones Supplemental Plat of Jones Addition, to Wichita, Sedgwick County, Kansas, commonly known as , 855 East Eighth Street, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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RESOLUTION NO. R-99-437

A Resolution finding that the structure located on Lot 7, Block 3, Kell Hawkins Addition to Sedgwick County, Kansas, commonly known as , 512 North Bebe, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-99-439

A Resolution finding that the structure located on Lot 44, Block C, Hilltop Manor Sub A, Replat of Hilltop Manor Second Addition in, Sedgwick County, Kansas, commonly known as 1151-53 South Terrace, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-99-441

A Resolution finding that the structure located on Lot 58, Block E, Planeview Subdivision No. 2, Sedgwick County, Kansas, commonly known as 2951 South Clifton, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

1702 South Hiram

Kurt Schroeder

Superintendent of Central Inspection reviewed the Item.

Danny

Danny said he has material to reroof and reside the building, and that he would like to have 60 days to pay the taxes.

Motion --

Gale moved that the public hearing be closed; the Resolution declaring the buildings dangerous and unsafe structures be adopted, the Policy be followed and the taxes be paid in full within 10 days; if the taxes are paid in full within 10 days, that 60 days be allowed to complete repairs; if not completed as stated, proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structure be accepted. Any extensions of time granted to repair the structure would be conditioned on the following: (1) All taxes have been paid to date, as of November 9, 1999; (2) the structure(s) has/have been secured as of November 9, 1999 and will continue to be kept secured, and (3) the premises are mowed and free of debris as of November 9, 1999 and will be so maintained during renovation. Motion carried 7 to 0.

-- carried

RESOLUTION NO. R-99-438

A Resolution finding that the structure located on Lots 12, 14, and 16, Block, Gillespie Grove Addition to Wichita, Sedgwick County, Kansas, commonly known as, 1702 South Hiram, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, presented. Gale moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

3441 East Roseberry

Kurt Schroeder

Superintendent of Central Inspection reviewed the Item and explained that there is a new owner. There are taxes due and Staff recommends allowing 60 days to complete repairs.

Mr. Kemp

Mr. Kemp said he would have the back taxes paid in one week and the repairs completed in 60 days.

Motion --

Lambke moved that the public hearing be closed; the Resolutions declaring the buildings dangerous and unsafe structures be adopted for Items 1, 2, 4, and 6, and the Staff recommended action to allow one week to pay the taxes current, and 60 days to complete repairs be accepted. Any extensions of time granted to repair the structure would be conditioned on the following: (1) All taxes have been paid to date, as of November 9, 1999; (2) the structure(s) has/have been secured as of November 9, 1999 and will continue to be kept secured, and (3) the premises are mowed and free of debris as of November 9, 1999 and will be so maintained during renovation. Motion carried 7 to 0.

-- carried

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RESOLUTION NO. R-99-440

A Resolution finding that the structure located on Lot 32, Block J, in Plainview Subdivision No. 1, Sedgwick County, Kansas, commonly known as 3441 East Roseberry, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, presented. Lambke moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

KINGSBURY

DESIGNATION OF PREFERRED DEVELOPER - KINGSBURY.

Chris Cherches

City Manager reviewed the Item.

Agenda Report No. 99-1121.

The City has received a proposal to acquire and develop the tract of city-owned land, commonly referred to as the Kingsbury property. This land was originally acquired by the City for potential landfill expansion and buffering the Brooks Landfill.

With the County's assumption of the Solid Waste responsibilities, this land is no longer needed for solid waste purposes. Action was taken in 1997 to designate this land for public purposes (i.e. open space, park or wetland, or any combination of such uses), although such use was not permanently designated. The City Council, by majority vote, may authorize the sale and development of this property.

The proposal received offers the City a purchase price of \$800,000 paid over a three-year period. Development would be in phases and begin with strip areas for sand reclamation; creation of lakes, then construction of recreational and residential development. The City would have review and approval rights over the type, design and amount of development. The proposed developer has conditioned his purchase on a temporary conditional use to allow development of the lake, along with a temporary use to allow accessory uses of mills and batch plants for reclamation. In addition, access to these areas would be through the Brooks landfill site.

The developer agrees to pay \$800,000 for the property and is willing to work cooperatively with the City in the development of the companion recreational uses (with the intended residential development). The City acquired this 459+ acre property for \$728,640. When sold, this property would be placed on the tax rolls of the City.

The City Council has the authority to sell this property. Previous action taken by the City Council excludes this property from the requirements of Charter Ordinance No.125 and, therefore, the sale is not subject to Park Board approval. Since this land is not subject to Urban Renewal requirements for sale, the City Council may sell this property without competitive proposals. However, following the proposed actions is prudent to allow for competitive proposals for sale and development.

Chris Cherches

City Manager, responding to a question, said the practice of publication and notification of developers and the Real Estate Association in the community would be followed. Kingsbury Communities, Inc., may not be the final selection for preferred developer. The Item will be returned to the City Council after completion of the publication process.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --
-- carried

Cole moved that Kingsbury Communities, Inc. be designated as the preferred developer and Staff be authorized to follow the notice and publication for competitive proposals procedures. Motion carried 7 to 0.

CITY COUNCIL AGENDA

APPOINTMENTS

BOARD APPOINTMENTS.

Motion --
-- carried

Knight moved that Kay Johnson and Kirk Miller be nominated to serve on the Solid Waste Management Committee, and moved that the nominations be approved. Motion carried 7 to 0.

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APPOINTMENTS TO PAWNEE PRAIRIE PARK RENAMING COMMITTEE.

Motion --

Martz appointed Frank Smith, Joe McLeland, Judy Weigel, Greg Ferris, Lucy Burnett, Estella Martinez, Sue Schlapp, and Reg Booth (Pawnee Prairie Park Renaming Committee) and moved that the appointment be approved. Motion carried 7 to 0.

-- carried

PROCLAMATIONS

PROCLAMATIONS.

No Proclamations were presented.

CONSENT AGENDA

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED NOVEMBER 8, 1999.

Bids were opened November 5, 1999, pursuant to advertisements published on:

Landscaping Greenwich Road from Kellogg to Central, Phase Two - Greenwich, north of Kellogg. (472-82738/706390/405194) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 4/1/1997. (District II)

Seeders, Inc. - \$2,835.00

1999 enhanced maintenance reconditioned roadbed and overlay of asphalt streets in newly annexed areas (792267), contract maintenance cold recycle locations (131767), and enhanced maintenance stabilization locations (706648_s) - various locations. (/792267/131767 /706648_S/621326 /435254/___/405218/533243) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 11/24/1998. (Districts II, III, V, and VI)

Ritchie Paving - \$1,070,399.90 (Engineer's estimate)

1999 enhanced maintenance concrete repairs, Phase F - various locations. (/706648_F/405218) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 10/13/1998. (Districts III and IV)

McFadden Construction - \$290,000.00 (Engineer's estimate)

Water distribution system to serve Lindsay's Orchard Addition -north of Pawnee, west of Maize. (448-89420/734940/470610) Does not affect existing traffic. City Council approval date: 9/14/1999. (District V)

Duling Construction - \$31,649.00

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Thermoplastic Pavement Marking Application. (132217)

Flasher Co. of Kansas Inc. \$18,409.00 (Total base bid)

PUBLIC WORKS DEPARTMENT/STREET MAINTENANCE DIVISION: Traffic Signal Equipment. (132217)

Glades Sales Co., Inc. - \$10,569.70 (Total net bid/Item I)

Mid American Signal Inc. - \$ 1,370.00 (Total net bid/Item II)
\$15,953.00 (Total net bid/Item V)

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VARIOUS DEPARTMENTS/VARIOUS DIVISIONS: Passenger, Redial, All-Weather Tread Blackwall, Polyester, Steel Belts. (130849)

Karls Tire & Auto - \$25.20 (Group I-Item 1/per each)
\$25.93 (Group I-Item 2/per each)
\$26.70 (Group I-Item 3/per each)
\$25.04 (Group I-Item 4/per each)
\$27.03 (Group I-Item 5/per each)
\$25.66 (Group I-Item 6/per each)
\$25.80 (Group I-Item 7/per each)
\$31.53 (Group I-Item 8/per each)
\$26.71 (Group I-Item 9/per each)
\$28.46 (Group I-Item 10/per each)
\$28.69 (Group I-Item 11/per each)
\$30.00 (Group I-Item 12/per each)
\$33.89 (Group I-Item 13/per each)
\$28.61 (Group I-Item 14/per each)
\$34.67 (Group I-Item 15/per each)
\$33.23 (Group I-Item 16/per each)
\$34.85 (Group I-Item 17/per each)
\$33.82 (Group I-Item 18/per each)
\$37.03 (Group I-Item 19/per each)

Wiechman-Bush Tires Inc. - \$39.00 (Group II-Item 1/per each)
\$42.00 (Group II-Item 2/per each)
\$45.00 (Group II-Item 3/per each)

Karls Tire & Auto - \$ 55.05 (Group III-Item 1/per each)
\$ 55.42 (Group III-Item 2/per each)
\$112.36 (Group III-Item 3/per each)
\$ 55.89 (Group III-Item 4/per each)
\$ 61.00 (Group III-Item 5/per each)
\$ 68.74 (Group III-Item 6/per each)
\$ 62.96 (Group III-Item 7/per each)
\$125.19 (Group III-Item 8/per each)
\$ 53.48 (Group III-Item 9/per each)
\$ 53.48 (Group III-Item 10/per each)
\$ 48.14 (Group III-Item 11/per each)
\$106.77 (Group III-Item 12/per each)
\$ 56.74 (Group III-Item 13/per each)
\$121.29 (Group III-Item 14/per each)
\$ 53.59 (Group III-Item 15/per each)
\$ 60.08 (Group III-Item 16/per each)
\$ 60.00 (Group III-Item 17/per each)
\$ 55.54 (Group III-Item 18/per each)

Wiechman-Bush Tires Inc. - \$ 150.00 (Group IV-Item 1/per each)
\$ 129.00 (Group IV-Item 2/per each)
\$ 148.00 (Group IV-Item 3/per each)
\$ 165.00 (Group IV-Item 4/per each)
\$ 175.00 (Group IV-Item 5/per each)
\$ 155.00 (Group IV-Item 6/per each)
\$ 172.00 (Group IV-Item 7/per each)
\$ 210.00 (Group IV-Item 8/per each)
\$ 145.00 (Group IV-Item 9/per each)
\$ 140.00 (Group IV-Item 10/per each)
\$ 205.00 (Group IV-Item 17/per each)
\$ 179.00 (Group IV-Item 18/per each)
\$ 210.00 (Group IV-Item 19/per each)
\$ 269.00 (Group V-Item 1/per each)
\$ 192.00 (Group V-Item 2/per each)
\$ 249.00 (Group V-Item 3/per each)

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\$ 349.00 (Group V-Item 4/per each)
\$ 369.00 (Group V-Item 5/per each)
\$ 525.00 (Group V-Item 6/per each)
\$1,050.00 (Group V-Item 7/per each)
\$ 460.00 (Group V-Item 8/per each)
\$ 45.95 (Group VI-Item 1/per each)
\$ 79.00 (Group VI-Item 2/per each)
\$ 89.00 (Group VI-Item 3/per each)
\$ 69.00 (Group VI-Item 4/per each)
\$ 220.00 (Group VI-Item 5/per each)
\$ 85.00 (Group VI-Item 6/per each)
\$ 105.00 (Group VI-Item 7/per each)
\$ 135.00 (Group VI-Item 8/per each)
\$ 149.00 (Group VI-Item 9/per each)
\$ 239.00 (Group VI-Item 10/per each)
\$ 269.00 (Group VI-Item 11/per each)
\$ 288.00 (Group VI-Item 12/per each)
\$ 269.00 (Group VI-Item 13/per each)
\$ 149.00 (Group VI-Item 14/per each)
\$ 205.00 (Group VII-Item 2/per each)
\$ 219.00 (Group VII-Item 3/per each)
\$ 179.00 (Group VII-Item 4/per each)
\$ 289.00 (Group VII-Item 5/per each)
\$ 249.00 (Group VII-Item 6/per each)
\$ 175.00 (Group VII-Item 7/per each)
\$ 219.00 (Group VII-Item 8/per each)
\$ 279.00 (Group VII-Item 9/per each)
\$ 179.00 (Group VII-Item 10/per each)
\$ 289.00 (Group VII-Item 11/per each)
\$ 329.00 (Group VII-Item 12/per each)
\$ 329.00 (Group VII-Item 13/per each)

Tire Centers, LLC - \$331.94 (Group VIII-Item 1/per each)

Kansasland Tire Co. Inc. - \$36.74 (Group IX-Item 1/per each)
\$19.36 (Group IX-Item 2/per each)
\$74.93 (Group IX-Item 3/per each)
\$16.53 (Group IX-Item 4/per each)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

LICENSES

APPLICATION FOR LICENSES FOR ADULT ENTERTAINMENT ESTABLISHMENTS/SERVICES:

New Escort Service (New Owner).

Jennifer R. Rickords Delight Dating Service 309 South Laura, Suite 208/210

Renewal Adult Entertainment.

Norman Massey Jr. Circle Cinema 2750 South Seneca

Motion – carried

Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

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APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>1999</u>	<u>(Consumption off Premises)</u>
P.D. (David) Bairrington	Phillips 66 #27217	2356 South Seneca
P.D. (David) Bairrington	Phillips 66 #27396	2190 North Rock Road
Don Farquhar	Rolling Hills Country Club Golf Shop	9612 West Maple
<u>Renewal</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
Teresa A. Vasquez	El Patio Inc.*	424 East Central
Stan Shaver	Pawnee Prairie Golf Course*	931 South Tyler Road
<u>New Establishment</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
Derek M. Simmons	Challanger	4311 West Central

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

Motion -- carried

Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

PLANS AND SPECS.

PLANS AND SPECIFICATIONS:

- a. 1999 Park Bikeway System Repairs - at various locations). (472-82968/785857/399117) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 8/25/1998. (Districts V and VI)
- b. 1999 Enhanced Maintenance Concrete Repairs Phase R - at various locations. (/706648_R/405218) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 10/13/1998. (Districts I, II, and III)
- c. 1999-2000 CDBG Public Facilities & Improvements Phase B Asphalt - at various locations. (/602302_B/800901) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 3/16/1999. (Districts I and III)
- d. Water Distribution System to serve Valley Acres Addition - south of 10th Street, west of Custer. (448-89425/734945/470615) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 10/12/1999. (District VI)
- e. Lateral 38, Main 15, Southwest Interceptor Sewer to serve Unplatted Tract - north of 21st Street North, east of Ridge. (468-82995/743801/480489) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 6/8/1999. (District V)

Motion --
-- carried

Knight moved that the Plans and Specifications be approved and the City Clerk be instructed to advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., November 19, 1999. Motion carried 7 to 0.

SUBDIVISION PLANS AND SPECIFICATIONS:

There were no subdivision plans and specifications to be considered.

PRELIMINARY EST.

PRELIMINARY ESTIMATE:

19th Street North, from the east line of Wabash to the west line of Ohio to serve Meekin's, Harvey's and Beacon Additions - east of Broadway, south of 21st Street North. (472-83082/765574/490685) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 3/16/1999. (District VI) - \$44,000.00

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Motion -- carried

Knight moved that the Preliminary Estimate be approved and filed. Motion carried 7 to 0.

STATEMENTS OF COST STATEMENTS OF COST:

- a. Improving Maize Road, Maple to Central. Total Cost - \$583,400 (plus idle fund interest - \$9,448; less reimbursements - \$8,535; plus cash transfers - \$3,687; less local sales tax transferred - \$500,000; less financing previously issued - \$65,000). Financing to be issued at this time - \$23,000. (705483\472-82025\405-102)
- b. Improving George Washington Boulevard from Pawnee to Oliver. Total Cost - \$286,262 (plus idle fund interest - \$6,138; less local sales tax transferred - \$260,000; less financing previously issued - \$20,000). Financing to be issued at this time - \$12,400. (705491\472-82254\405-103)
- c. Improving 1994 Street Rehabilitation Program (Westdale Drive, from Zoo Boulevard to West Street). Total Cost - \$336,145 (plus idle fund interest - \$769; less local sales tax transferred - \$331,514). Financing to be issued at this time - \$5,400. (705780\472-82425\405-132)
- d. Improving Woodlawn from 33rd to 36th Street North. Total Cost - \$132,018 (plus idle fund interest - \$4,982; less local sales tax transferred - \$125,000; less financing previously issued - \$2,000). Financing to be issued at this time - \$10,000. (706044\472-82499\405-158)
- e. Improving Webb Road, 29th to 39th Street North. Total Cost - \$551,540 (plus idle fund interest - \$21,560; less financing previously issued - \$560,000). Financing to be issued at this time - \$13,100. (706051\472-82500\405-159)
- f. Improving Seneca from 31st Street South to Kellogg. Total Cost - \$46,163 (plus temporary note financing - \$572; plus idle fund interest - \$1,765; less local sales tax transferred - \$3,000; less financing previously issued - \$38,800). Financing to be issued at this time - \$6,700. (706218\472-82602\405-175)
- g. Improving 31st Street South from Southeast Boulevard to Kansas Turnpike. Total Cost - \$600,000 (plus idle fund interest - \$14,000; less local sales tax transferred - \$14,000; less financing previously issued - \$585,500). Financing to be issued at this time - \$14,500. (706226\472-82614\405-176)
- h. Improving Harry from Webb Road to Greenwich Road. Total Cost - \$74,492 (plus idle fund interest - \$1,108; less local sales tax transferred - \$50,000; less financing previously issued - \$25,000). Financing to be issued at this time - \$600. (706622\472-82883\405-216)
- i. Improving 1998-1999 Arterial Sidewalk/Wheelchair Access Ramp Program. Total Cost - \$400,000 (plus idle fund interest - \$9,400; less financing previously issued - \$403,700). Financing to be issued at this time - \$5,700. (706697\472-82931\405-223)
- j. Improving Eastern Bridge at Gypsum Creek (Design). Total Cost - \$26,937 (plus idle fund interest - \$763; less financing previously issued - \$27,000). Financing to be issued at this time - \$700. (715342\472-82577\415-048)
- k. Improving Mt. Vernon Bridge at Gypsum Creek (Design). Total Cost - \$32,517 (plus idle fund interest - \$683; less financing previously issued - \$32,000). Financing to be issued at this time - \$1,200. (715367\472-82576\415-050)
- l. Improving 37th Street Bridge over the Little Arkansas River (Design & Construction). Total Cost - \$378,065 (plus temporary note interest - \$527; plus idle fund interest - \$11,608; less debt service fund transfer - \$8,000; less local sales tax transfer - \$10,000; less financing previously issued - \$339,000). Financing to be issued at this time - \$33,200
- m. Improving Harry Street Bridge at Fabrique (Design). Total Cost - \$9,700 (less financing previously issued - \$0). Financing to be issued at this time - \$9,700. (715631\472-83042\248-093)
- n. Improving Fire Station #18. Total Cost - \$884,640 (plus temporary financing - \$6,740; less financing previously issued - \$889,670). Financing to be issued at this time - \$1,710. (791673\435-196)
- o. Improving Fire Facility Repair. Total Cost - \$81,620 (plus idle fund interest - \$1,270; less financing previously issued - \$80,000). Financing to be issued at this time - \$2,890. (792093\358-238)

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p. Improving Park Land Acquisition. Total Cost - \$180,280 (plus idle fund interest - \$6,880; plus temporary note interest - \$630; less other revenues - \$960; less financing previously issued - \$155,430). Financing to be issued at this time - \$31,400. (785444\440-075)

q. Improving South Lakes Park. Total Cost - \$1,043,960 (plus idle fund interest - \$25,180; plus temporary note interest - \$16,820; less other revenues - \$250,000; less financing previously issued - \$800,000). Financing to be issued at this time - \$35,960. (785576\440-088)

r. Improving Chisholm Creek Park. Total Cost - \$105,000 (plus idle fund interest - \$2,880; plus temporary note interest - \$980; less financing previously issued - \$105,000). Financing to be issued at this time - \$3,860. (785758\440-107)

s. Improving Tennis Courts. Total Cost - \$75,340 (plus idle fund interest - \$1,400; less financing previously issued - \$75,000). Financing to be issued at this time - \$1,740. (785774\440-109)

PARTIAL STATEMENTS OF COST.

t. (Fourth Partial) Estimate of Cost for improving Broadway Avenue from Kellogg to William - \$456,000; less financing previously issued - \$81,000. Financing to be issued at this time - \$375,000. (705863\472-82412\405-140)

u. (Sixth Partial) Estimate of Cost for improving Murdock from Waco to Wabash - \$4,599,687; less local sales tax funds transferred - \$1,948,687; less financing previously issued - \$2,376,000. Financing to be issued at this time - \$275,000. (706002\472-82473\405-154)

v. (Third Partial) Estimate of Cost for improving Douglas Avenue Streetscapes - \$3,018,700; less financing previously issued - \$18,700. Financing to be issued at this time - \$3,000,000. (706473\472-82655\405-201)

w. (First Partial) Estimate of Cost for improving Harry from Webb to Greenwich - \$350,000; less financing previously issued - \$0. Financing to be issued at this time - \$350,000. (706771\209-232)

x. (Third Partial) Estimate of Cost for improving the Arkansas Riverbank - \$670,000; less financing previously issued - \$620,000. Financing to be issued at this time - \$50,000. (706556\472-82799\405-209)

y. (Third Partial) Estimate of Cost for improving 1998-1999 Intersection Reconstruction Program - \$800,000; less financing previously issued - \$300,000. Financing to be issued at this time - \$500,000. (706663\472-82910\208-220)

z. (Third Partial) Estimate of Cost for improving Central from West Street to McLean Boulevard - \$1,050,000; less local sales tax transferred - \$20,000; less financing previously issued - \$780,000. Financing to be issued at this time - \$250,000. (706689\472-82906\405-222)

aa. (Third Partial) Estimate of Cost for improving Arterial Corridors - \$700,000; less local sales tax transferred - \$200,000; less financing previously issued - \$400,000. Financing to be issued at this time - \$100,000. (706705\472-82932\405-224)

bb. (First Partial) Estimate of Cost for improving 29th Street North from Oliver to Woodlawn - \$250,000; less financing previously issued - \$0.00. Financing to be issued at this time - \$250,000. (706754\472-82996\405-229)

cc. (Second Partial) Estimate of Cost for improving Central from I-235 to West Street - \$600,000; less financing previously issued - \$100,000. Financing to be issued at this time - \$500,000. (706762\472-83014\405-230)

dd. (First Partial) Estimate of Cost for improving Maple from Maize Road to 119th Street West - \$250,000; less financing previously issued - \$0. Financing to be issued at this time - \$250,000. (706772\472-83092\209-233)

ee. (Fourth Partial) Estimate of Cost for improving South Broadway Viaduct - \$1,417,000; less financing previously issued - \$1,362,000. Financing to be issued at this time - \$55,000. (715474\472-82828\415-061)

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ff. Third Partial) Estimate of Cost for improving Mt. Vernon Bridge over Gypsum Creek - \$160,000; less financing previously issued - \$150,000. Financing to be issued at this time - \$10,000. (715490\472-82902\248-063)

gg. (Second Partial) Estimate of Cost for improving Central Kansas Railway, L.L.C. Railroad Relocation - \$615,000; less financing previously issued - \$500,000. Financing to be issued at this time - \$115,000. (715516\248-065)

hh. (First Partial) Estimate of Cost for improving Central Kansas Railway Relocation - \$825,000; less financing previously issued - \$0. Financing to be issued at this time - \$825,000. (715532\248-066)

ii. (First Partial) Estimate of Cost for improving Bayley Railroad Reconstruction - \$250,000; less financing previously issued - \$0. Financing to be issued at this time - \$250,000. (715540\472-83032\248-067)

jj. (First Partial) Estimate of Cost for improving Eastern Bridge at Gypsum Creek - \$130,000; less financing previously issued - \$0. Financing to be issued at this time - \$130,000. (715673\472-83067\248-081)

kk. (First Partial) Estimate of Cost for improving 25th Street Bridge at the West Drain - \$150,000; less financing previously issued - \$0. Financing to be issued at this time - \$150,000. (715674\472-83068\248-082)

ll. (First Partial) Estimate of Cost for improving Murdock Bridge at the Drainage Canal - \$500,000; less financing previously issued - \$0. Financing to be issued at this time - \$500,000. (715675\472-82764\249-083)

mm. (First Partial) Estimate of Cost for improving Pawnee Bridge at Dry Creek (Design) - \$20,000; less financing previously issued - \$10,000. Financing to be issued at this time - \$10,000. (715664\472-83045\248-096)

nn. (Second Partial) Estimate of Cost for improving Wayfinding Graphics/Signage System - \$54,000; less financing previously issued - \$34,000. Financing to be issued at this time - \$20,000. (791749\435-203)

oo. (Second Partial) Estimate of Cost for improving Vest Pocket Park - \$304,900; less financing previously issued - \$4,900. Financing to be issued at this time - \$300,000. (791848\435-213)

pp. (Second Partial) Estimate of Cost for improving Fire Apparatus Replacement Program - \$810,000; less financing previously issued - \$420,000. Financing to be issued at this time - \$390,000. (792085\358-237)

qq. (First Partial) Estimate of Cost for improving West Bank Amphitheater - \$65,000; less financing previously issued - \$0. Financing to be issued at this time - \$65,000. (792292\358-263)

rr. (Third Partial) Estimate of Cost for improving South Lakes Park - \$250,000; less financing previously issued - \$150,000. Financing to be issued at this time - \$100,000. (785766\440-108)

Motion -- carried

Knight moved that the Statements of Cost be approved and filed. Motion carried 7 to 0.

WATER SYSTEM

PETITION TO CONSTRUCT A WATER DISTRIBUTION SYSTEM TO SERVE THE ESTATES AT SHADYBROOK - SOUTH OF CENTRAL, EAST OF 143RD STREET EAST. (District II)

Agenda Report No. 99-1122.

On August 25, 1998, the City Council approved a Petition for a Water Distribution System to serve The Estates at Shadybrook, a single-family development. It has since been determined that one of the lots in the improvement district has been served by an existing water line.

A new Petition has been submitted to delete that lot from the improvement district. The signature on the new Petition represents 100% of the improvement district.

There is no change to the project budget.

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Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-442

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89289, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Board of Code Standards and Appeals, 10-4-99
Board of Health, 10-14-99
CPO Northeast Council 1, 10-25-99
CPO East Council 2, 10-25-99
CPO Southwest Council 4, 10-28-99
CPO Northwest Council 5, 10-27-99
Commission on the Status of Women, 10-6-99
Metropolitan Area Planning Commission (MAPC), 8-26-99
Wichita Transit Advisory Board, 9-23-99

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

STREET CLOSURES

STREET CLOSURES:

Murdock At Wichita . District VI)

Ritchie Paving has been advised to complete the reconstruction of Murdock Street at the intersection of Wichita Street. This section of the reconstruction project was delayed because the available construction time between train movements would not allow the Contractor to safely install the concrete box culvert. Other track revisions throughout south and west Wichita now allow the tracks at this intersection to be removed. Due to the size and depth of the storm drain box culvert and the location of water mains, gas pipeline, fiber optic cables and sewer lines in this intersection, the Contractor is requesting the total Closure of Murdock at Wichita for a period not to exceed two weeks.

During the follow up paving of the intersection, Murdock traffic will be carried in one lane each direction. Work is expected to begin approximately November 10, 1999 with completion expected near December 10, 1999.

During the recent reconstruction of Murdock, between the Little Arkansas River and Wabash, sections of the street were closed for approximately six weeks as the construction progressed. The Contractor is required to notify the affected businesses and is responsible for the necessary construction barricades and detour signing. During the complete Closure, Murdock traffic will be detoured as follows:

Westbound Murdock: Main to Central to Waco to Murdock.
Eastbound Murdock: Waco to Central to Market to Murdock.

Motion -- carried

Knight moved that the street closure be approved. Motion carried 7 to 0.

Special Event.

Agenda Report No. 99-1149.

In accordance with the Special Events Procedure, event sponsors are to notify adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

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The following street closure requests have been submitted (maps attached):

1) Sixth Annual Luminary Run/Walk, December 3, 1999, 6:00 – 8:30 p.m.

Street Closures:

Waco from Douglas to First Street

First from Waco to McLean

McLean from First to Walker

Lewis from McLean to Wichita

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion --

Knight moved that the request be approved subject to: (1) Event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets. Motion carried 7 to 0.

-- carried

WEAPONS DESTRUCT WEAPONS DESTRUCTION.

Agenda Report No. 99-1123.

The Police Department has requested authorization to destroy several weapons which have been confiscated in criminal activity but are no longer needed as evidence.

Upon review by the City Council, the necessary court documents will be prepared to proceed with destruction of the listed weapons.

Motion -- carried

Knight moved that the list of weapons be received and filed. Motion carried 7 to 0.

EASEMENT ENCROACHMENT AGREEMENT – BARRINGTON CORNER SECOND ADDITION. (District V)

Agenda Report No. 99-1124.

The agreement allows Robl Construction Company to occupy and construct for Barrington Corner Second Addition improvements on, over and across the aforesaid public easement described as the north 18 feet of Lots 1 through 9, Block B, Barrington Corner Second Addition, Wichita, Sedgwick County, Kansas, hereinafter referred to as Tract "A" and waives all rights of action in law arising out of the encroachment into the easement. The improvement is to be on the north 2 feet of Lots 1 through 9 for the construction of a 6-foot concrete masonry wall.

The agreement allows the City to be held harmless from any and all claims resulting from leaking, cave-in or failure of said sewer line main lying within Tract "A" and from claims resulting from replacement or upgrade of lines, manholes, and/or other Department property in the easement.

There are no financial considerations.

Motion --

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 7 to 0.

-- carried

EASEMENT ENCROACHMENT AGREEMENT – 3246 WEST 13TH STREET IMPROVEMENTS. (District VI)

Agenda Report No. 99-1125.

The agreement allows Anderson Properties, LLC, to occupy and construct for 3246 West 13th Street improvements on, over and across the aforesaid public easement described as 10 feet in width on the south side of the north

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property line of Lot 1, Block A, Anderson Properties Addition, Wichita, Sedgwick County, Kansas, and 16 feet in width on the west side of the west property line, 246 feet south from the north property line of Lot 1, Block A, Anderson Properties Addition hereinafter referred to as Tract "A" and waives all rights of action in law arising out of the encroachment into the easement. The improvement is to be on the north property line, 246 feet south from the north property line on the west property line, and 16 feet west from the south end of the 246-feet for the construction of a concrete retaining wall.

The agreement allows the City to be held harmless from any and all claims resulting from leaking, cave-in or failure of said sewer line main lying within Tract "A" and from claims resulting from replacement or upgrade of lines, manholes, and/or other Department property in the easement.

There are no financial considerations.

Motion --
--carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 7 to 0.

EMERGENCY SHELTER INTER-FAITH MINISTRIES CONTRACT. (District VI)

Agenda Report No. 99-1126.

The 1999 Consolidated Plan as approved by the City Council included allocations for the Emergency Shelter Grant program. The allocations included funds for several homeless service agencies for operating costs of emergency shelters; essential services aimed at assisting homeless persons return to permanent living situations, and funds to prevent families from becoming homeless.

The contract before the Council is with Inter-Faith Ministries for Emergency Shelter Grant funds to provide assistance in the amount of \$35,944 for an Inter-Faith Inn, an emergency shelter located at 320 E. Central. These funds will be used for the cost of operating the shelter (\$25,346) and to partially fund (\$10,598) a case manager to assist the shelter residents end their homelessness. The contract is consistent with the Consolidated Plan as approved by the Council and covers the period from July 1, 1999 through June 30, 2000.

The contract is for \$35,944. The funds are provided under the Stewart B. McKinney Homeless Assistance Act through the U.S. Department of Housing and Urban Development. The required match will be provided by Inter-Faith Ministries.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 7 to 0.

IMAGING PROJECT MUNICIPAL COURT/POLICE DEPARTMENT - IMAGING PROJECT MANAGER.

Agenda Report No. 99-1127.

The Municipal Court and the Police Department's Imaging Project was approved by the City Council in 1998. To implement the imaging system, detailed requirements were determined and documented. Paper flows were reviewed to determine where information originates; at what point the document was complete and ready to be imaged; where the document is needed and should be available for display; and how the image document was to be stored.

In April 1998, the City Council approved a contract with Compulink, Inc. to produce an imaging system design and specification document. This work is underway and the imaging software and hardware have been purchased.

It is estimated that the imaging system will affect in excess of 26 Municipal Court and Police Department work processes and over 3 million documents will be imaged per year. Due to the complexity of this project, it was determined that a project manager is needed to oversee and coordinate the installation and implementation of the imaging project.

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A request for proposal was developed soliciting qualified vendors. A pre-bid conference was held on September 8, 1999, with five vendors attending. Three vendors responded to the proposal. A selection committee was formed consisting of staff from the Finance Department, Police Department and the Municipal Court to review the responses. The proposals were evaluated based upon:

- ? Project management experience and knowledge;
- ? General knowledge of municipal court and police processes;
- ? Experience with networks and networking structures;
- ? Sound methodology, plan of action, project management plan which addresses the objectives of the Court and Police Imaging Project;
- ? Overall proposal submitted; and
- ? Price.

Based upon the above criteria, Change Works Management Consulting was selected.

The estimated project completion date is August 2000. After completion of this project, additional City departments will be able to utilize the technology and software to implement imaging within their departments.

The cost of this contract is \$33,500. Funding for the contract is available in the Municipal Court Driver's Reinstatement Fund.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved; the budget transfer be authorized; and the necessary signatures be authorized. Motion carried 7 to 0.

COMPUTER/DATA

MUNICIPAL COURT – DRUG COURT SOFTWARE.

Agenda Report No. 99-1128.

Annually the City of Wichita Municipal Court system handles approximately thirty-five hundred drug-related offenses that do not involve driving under the influence. Traditional approaches toward drug cases of court adjudication followed by treatment have proved unsuccessful in many cases, resulting in repeat offenders. Consequently, drug courts are being developed nationally to break this recidivistic cycle through intensive, interactive treatment and through sanctions tailored to the individual. In the spring of 1996, the City of Wichita began one of the first municipal drug courts in the nation.

One of the primary management problems facing the drug court is that information about a participant, their attendance in court and treatment, compliance and level of participation, urinalysis reports and vital statistics needed for the granting agency, are not easily obtainable by key personnel, treatment providers and decision-makers. This information is fragmented between the Public Safety System, the treatment provider's or prosecutor's PCs, or manual form in various offices of the drug court team. Because immediacy in this Court is a crucial part of the process, this delay affects program effectiveness and efficiency. It also affects the ability of the Court to address increasing numbers of participants. A drug court software would allow immediate access to the defendant's information by all parties involved.

The City of Wichita hired a consultant to analyze drug court procedures involving the use of specialized data required for support of adjudication and treatment. Based on this consultant's report, a Scope of Services and a Request for Proposal was developed soliciting qualified vendors to create a drug court software. Multiple vendors

Attended a pre-bid conference on September 8, 1999; however, only one proposal was received by the City. A review and selection committee was formed consisting of staff from the Finance Department, Law Department and the Municipal Court to review the response to the proposal. Due to a grant-funding source, verification of compliance with the granting agency's "sole source" guidelines was made. The City was in compliance with the guidelines and ClientServ Corporation was, therefore, selected as the vendor to develop and implement the drug court software.

The cost of the contract is \$34,850 and there will be a \$3,690 annual software maintenance fee. Funding for the contract is available in the Drug Court Enhancement Grant, Project Number 97-DC-VX-143. The annual maintenance fee will be included in the Municipal Court's revised budget.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 7 to 0.

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DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES FOR NORTHRIDGE LAKES ADDITION - EAST OF TYLER, SOUTH OF 29TH NORTH. (District V)

Agenda Report No. 99-1129.

The City Council approved the Northridge Lakes Addition plat on December 9, 1997.

The proposed Agreement between the City and Professional Engineering Consultants, P.A. (PEC) provides for the design of bond financed improvements in the Northridge Lakes Addition. Per Administrative Regulation 7a, staff recommends the selection of PEC because PEC provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$14,900, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES FOR WATER DISTRIBUTION SYSTEM - BOTH SIDES OF SENECA BETWEEN 63RD AND 55TH STREETS SOUTH. (District IV)

Agenda Report No. 99-1130.

The City Council approved the project on August 10, 1999.

The proposed Agreement between the City and Savoy, Ruggles & Bohm, P.A. (SRB) provides for the design of Water Distribution System No. 448 89417. The Staff Screening & Selection Committee selected SRB for the design on September 27, 1999.

Payment will be on a lump sum basis of \$48,500, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 7 to 0.

KDOT

CONSTRUCTION ENGINEERING AGREEMENT- HARRY STREET FROM WEBB TO GREENWICH. (District II)

Agenda Report No. 99-1131.

On April 20, 1999, the City Council approved a project to reconstruct Harry between Webb and Greenwich. The project is financed by a combination of City General Obligation Bonds and Federal Grants administered by the Kansas Department of Transportation (KDOT). On May 25, 1999, the City Council approved the project for construction. An Agreement between the City and KDOT for construction engineering services has been prepared.

The project consists of reconstructing Harry to four lanes, installing sidewalks on both sides of the street, and landscaping the available right-of-way. Construction is expected to begin this winter and be completed in 2000.

The estimated project cost is \$2,400,000. KDOT will reimburse the City for 80 percent of the cost for construction engineering services, which has an upper limit of \$206,505.25.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 7 to 0.

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DESIGN CONTRACT

SUPPLEMENTAL AGREEMENT FOR HARRY STREET FROM WEBB TO GREENWICH. (District II)

Agenda Report No. 99-1132.

On November 18, 1997, the City Council approved the design of Harry Street from Webb to Greenwich and entered into an Agreement with Municipal Engineers, P.A. for the design services. The fee was \$61,950. On May 12, 1998, the City Council approved Supplemental Agreement No. 1 that required Municipal Engineers to design paving and sewer petitioned projects in the project limits. The fee was \$4,800.

On August 11, 1998, the City Council approved Supplemental Agreement No. 2 which required Municipal Engineers to eliminate conflicts between the proposed improvements and existing water lines for a fee of \$2,900.

On September 22, 1998, the City Council approved Supplemental Agreement No. 3 which required Municipal Engineers to design plans for a bikepath in the project limits. The proposed bikepath will connect to the southeast bikepath system. The fee was \$3,600.

On May 25, 1999, the City Council approved Supplemental Agreement No. 4 which required Municipal to revise the traffic control plans to show carrying two-way traffic during construction. The fee was \$2,400.

Municipal Engineers has been asked by the Kansas Department of Transportation (KDOT) to revise the plans by deleting several driveways, revise the construction limits, make some revisions to the intersection of Harry and Greenwich, and moving all driveways at least 0.3 meters away from the property lines because the City was unable to obtain right of entry permission from several property owners. Supplemental Agreement No. 5 has been prepared.

Payment to Municipal Engineers for Supplemental Agreement No. 5 will be made on a lump sum basis of \$2,500 and will be paid by funds available in the project budget.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion 7 to 0.

SEWER TREATMENT

CHANGE ORDER – REPAIR OF SEWAGE TREATMENT PLANT #2.

Agenda Report No. 99-1133.

On November 18, 1998, following a competitive bid, Purchase Order #51748 was issued to Utility Contractors in the amount of \$126,328. This Purchase Order was for the repair of Sewage Treatment Plant #2 sluice gates and improvements to the #2 trickling filter. On July 13, 1999, City Council approved Change Order #1 in the amount of \$14,500 for additional trickling filter repairs.

While repairing sluice gates at Sewage Treatment Plant #2, the contractor discovered that there was an additional sluice gate operating stem that needed to be replaced for the gate operation to be reliable. This work is required in order to maintain the operational integrity of the influent gates at the Sewage Treatment Plant #2 primary facility. The Change Order for the contractor to make the necessary repairs is in the amount of \$16,250.

The Capital Improvement Program, Biosolids Treatment and Management Plan (CIP #S-500), has available funds of \$1,234,270. The total cost of the Change Order is \$16,250.

City Council approval is required for Change Orders in excess of \$10,000.

Motion -- carried

Knight moved that the change order be approved. Motion carried 7 to 0.

BAYLEY STREET

CHANGE ORDER – BAYLEY STREET IMPROVEMENTS – ARKANSAS RIVER TO ST. FRANCIS. (District I)

Agenda Report No. 99-1134.

On June 24, 1998, the City Council approved a project to remove Bayley Street, between the Arkansas River and St. Francis, to provide a new railroad corridor. The plans included sidewalk and landscaping on the east bank of

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the Arkansas River, between Bayley and Lincoln. That portion of the project was deferred at the time of letting because required State permits had not been received. The permits have since been issued.

A Change Order has been prepared that authorizes the additional work. Funding is available within the project budget.

The total cost of the additional work is \$86,202. The funding source is General Obligation Bonds.

Motion -- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY ARTS STUDIO

GLASS BLOWING STUDIO - CITY ARTS.

Agenda Report No. 99-1135.

In 1998, the City's cultural arts program moved from its long-time location at 2601 N. Arkansas to the CityArts building, located in the East Bank area next to the Wichita Boathouse. The move resulted in additional space for art programming, and the new East Bank location has facilitated enrollment growth in existing classes and developed demand for new classes that could not be offered previously.

There has long been a demand in Wichita for classes teaching the art of glass blowing. The art has not been taught as a part of Wichita's cultural arts program primarily due to a limitation of classroom space and a lack of funding for the one-time purchase of capital equipment required in a contemporary glass blowing studio. With demand on the rise and additional classroom space coming available at the CityArts building, the proper environment exists for expanding arts programming in this direction at this time.

The one-time cost of purchasing and installing equipment for a glass blowing studio is estimated at \$32,000. Under-expenditures in the Park and Recreation Department operating budget are available to fund the purchase and installation. Beginning in 2000, annual ongoing salaries and benefits for part-time instructors at the studio will be approximately \$6,900. It is projected that these costs will be fully covered by class registration fees.

Budget transfers in excess of \$10,000 require City Council approval.

Motion -- carried

Knight moved that the budget adjustments and transfers to capital projects be approved. Motion carried 7 to 0.

K-96 LAKE

K-96 LAKE GRANT MATCH. (District I)

Agenda Report No. 99-1136.

On September 21, 1999, the City Council approved improvements to property owned by the City (known as "K-96 Lake") and located near K-96 and I-35 in northeast Wichita. The City has requested and received matching funds from the Kansas Department of Wildlife and Parks (KDWP) through its Community Lake Assistance grant program. A matching grant in the amount of \$40,000 has been provided for an entry drive into the property. In addition, a matching grant in the amount of \$40,000 has been provided for construction of a parking lot at the lake site.

The Kansas Department of Wildlife and Parks (KDWP) is providing a total of \$80,000 in matching funds to make improvements at K-96 Lake in a concentrated effort to enhance urban fishing opportunities. To construct an entryway drive and parking lot, the City must provide \$20,000 in matching funds. Construction of the parking lot portion of the project will require a \$15,000 City match.

The City may utilize either capital project monies or operating budget monies to fund the \$35,000 required match.

The City currently has over \$13,000 available in a capital project for improvements at K-96 Lake. Of this amount, \$10,000 may be applied towards matching grant funds provided by KDWP. The remaining \$25,000 in matching City funds are available from under-expenditures in the Park and Recreation operating budget.

Budget transfers in excess of \$10,000 require City Council approval.

Motion -- carried

Knight moved that the budget adjustments and transfers to capital projects be approved. Motion carried 7 to 0.

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BUDGET ADJUSTMENT REPLACEMENT OF PARK MAINTENANCE EQUIPMENT.

Agenda Report No. 99-1137.

The Park and Recreation Department has incurred the loss of a Bobcat and trailer from the South Lakes athletic complex, and a front deck mower and an equipment trailer at McDonald Park Golf Course. The loss is due to thieves targeting construction and maintenance equipment.

The stolen equipment was insured through the City's self-insurance program.

Replacement costs are estimated at \$42,700. Self-insurance and fleet funds are available to fund the costs. Funds must be transferred to capital outlay.

Motion -- carried Knight moved that the budget adjustments be authorized. Motion carried 7 to 0.

BUDGET.ADJUSTMENT BUDGET ADJUSTMENT - CAR ALLOWANCE EXPENSES.

Agenda Report No. 99-1139.

On August 10, 1999, the City Council approved a modification to the 2000 budget for a Council automobile expense allowance. The action did not address the automobile expense allowance for the remainder of 1999.

The City Council may authorize a budget transfer to provide an amount for the automobile expense allowance for the remainder of the year.

There are sufficient funds in the 1999 General Fund to transfer \$2,800 to cover the cost of the automobile expense allowance for remaining two months of the year.

Motion -- carried Knight moved that the budget be approved. Motion carried 7 to 0.

LITIGATION SETTLEMENT OF LITIGATION.

Agenda Report No. 99-1139.

The City is the defendant in a personal injury action in which the plaintiff was injured when her vehicle was involved in an accident with a police officer at the intersection of Lincoln and Water Streets. She claims damages as a result of injuries she suffered in the accident. The plaintiff has offered to settle her claims for payment of \$65,000.

After evaluating the risks associated with defending this matter through trial, the Law Department believes that there is a substantial possibility that the damage award, together with the costs and expense of trial, would exceed \$65,000.

Funding for the settlement is from the City's tort claims fund.

Motion -- carried Knight moved that the settlement be approved. Motion carried 7 to 0.

EQUIPMENT PURCHASE COMMUNICATIONS EQUIPMENT -- POLICE DEPARTMENT.

Agenda Report No. 99-1140.

On July 8, 1997, the City Council authorized the Mayor to sign the necessary documents to accept the 1997 Local Law Enforcement Block Grant from the U.S. Department of Justice. The 1997 Block Grant budget approved by City Council includes funding for the purchase mobile computer terminals (MCT) for the support of general police activities.

The MCT radio/modem equipment to be purchased must be compatible with existing MCT units already in service. The equipment must be integrated into the shared mobile relay to provide efficient and dependable range and

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clarity of communications. To be compatible with the existing MCT communications system (which was purchased from DataRadio Corporation) and fully integrated, the needed equipment is available only from DataRadio Corporation.

The purchase of MCT radio/modem equipment will cost \$2,175 each. At 40 units, the total cost will be \$87,000. With the availability of funds, the Police Department has asked that an option to purchase up to an additional fifteen (15) units within 120 days be included.

The Purchasing Ordinance No. 35-856, Section 2(b) provides for the purchase of equipment and supplies from sole sources of supply without advertising for bids.

Motion --
-- carried

Knight moved that the purchase of radio/modem equipment from DataRadio Corporation under the provisions of the Purchasing Ordinance for sole source of supply be approved. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 89 MISSION FOR THE EAST KELLOGG IMPROVEMENT PROJECT. (District II)

Agenda Report No. 99-1141.

In October of 1998, staff was instructed to pursue opportunity purchases in the Kellogg corridor. Opportunity purchases arise when an owner contacts the City and indicates a willingness to sell their property. The owner of 89 Mission, James McKinney, has expressed an interest in selling this property to the City. The site contains 15,525 square feet and is improved with a 1,749 square foot ranch-style single family residence. The property has two bedrooms and two baths. The property is extensively landscaped and improved with two greenhouses, tow garden houses, a fishpond, paths, benches, etc. The planned expansion of Kellogg will require the removal of the improvements and utilization of virtually the entire site.

The property was appraised at \$210,000. The owner requested \$290,000 based on the cost to acquire a similar house and replace the ancillary structures. A negotiated price of \$230,000 was agreed on.

The Capital Improvement Program includes funds for opportunity acquisitions. The funding source will be General Obligation Bonds. A budget of \$235,000 is requested. This includes \$230,000 for the acquisition and \$5,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

UNION PACIFIC RR

AUTHORIZING RESOLUTION - UNION PACIFIC RAILROAD TRACK REMOVAL. (Districts IV and VI)

Agenda Report No. 99-1142.

On June 24, 1998, the City of Wichita and Sedgwick County entered into a Memorandum of Understanding with the Union Pacific Railroad (UP). It provides that UP will make funds available to upgrade its tracks through Wichita/Sedgwick County.

A part of the work involves removing the UP tracks from the intersection of the UP tracks and Elizabeth Street, to the intersection of Broadway at 15th Street. The City will administer the construction Contract.

The estimated project cost is \$300,000 which will be paid by funds provided by the Union Pacific Railroad Company.

Motion -- carried

Knight moved that the project be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-443

A Resolution authorizing public improvements at the Union Pacific Railroad tracks from the intersection of the Union Pacific tracks and Elizabeth Street to the intersection of Broadway at 15th Street North, Project No. 472-83101, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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YEAR 2000

YEAR 2000 ARTERIAL DESIGN PROGRAM.

Agenda Report No. 99-1143.

The 2000 Capital Improvement Program includes funds to design nine arterial street improvements.

The street improvements to be designed are:

Hydraulic, 63rd St. South to MacArthur
21st, Hillside to Oliver
Two-Way Main Street, Douglas to Murdock
Central, Maize to Tyler
Douglas, Seneca to Arkansas River
Harry, Oliver to Woodlawn
Midtown Two-Way Streets Study
21st, 119th St. West to Maize Road
Central, Tyler to Socora

The program budget is \$1,415,000. The funding source is General Obligation Bonds.

Motion -- carried

Knight moved that the project be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance declaring Hydraulic from 63rd Street South to MacArthur, Central Avenue from Tyler to Socora, 21st Street North from 119th Street West to Maize Road, 21st Street North from Hillside to Oliver, Main Street from Douglas to Murdock, Central Avenue from Maize to Tyler, Douglas from Seneca to the Arkansas River, Harry from Oliver to Woodlawn, Topeka from Central to 17th Street North, Emporia from Central to 17th Street North, St. Francis from Central to 17th Street North (2000 Arterial Street Design Program), 472-83148, to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

ORDINANCES

SECOND READING ORDINANCES: (First read November 2, 1999)

- a. Z-3320 - north side of 47th Street South, on the west side of Meridian. (District IV)

ORDINANCE NO. 44-421

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. (Z-3320)

- b. Z-3325- southwest corner of Harry and Greenwich. (District II)

ORDINANCE NO. 44-422

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. (Z-3325)

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- c. A 99-21 - northeast corner of 37th Street North and 135th Street West. (District V)

ORDINANCE NO. 44-423

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. (A99-21)

- d. 99-22 - unincorporated islands within or abutting the West North Parts of Wichita.

ORDINANCE NO. 44-424

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. (A 99-22)

PLANNING AGENDA

Knight moved that the Planning Agenda be approved as consent Items. Motion carried 7 to 0.

DR-7

DR-7 - ADOPTION OF THE OCTOBER 28, 1999, VERSION OF THE UNIFIED ZONING CODE (UZC).

Agenda Report No. 99-1144.

MAPC Recommendation: Approve the amendment to the Unified Zoning Code.

Staff Recommendation: Approve the amendment to the Unified Zoning Code.

This amendment will incorporate all of the amendments to the June 19, 1997 version of the Unified Zoning Code (UZC) because of a computer software change. Because of the numerous amendments and reformatting (page number and font changes) of the UZC, legal staff is recommending that the entire code be readopted by reference. No other changes are being requested other than reformatting the document.

Motion --
-- carried

Knight moved to concur with the findings of the MAPC and approve the adoption of the October 28, 1999, version of the Unified Zoning Code. Motion carried 7 to 0.

ORDINANCE

An Ordinance amending Section 28.04.010 of the Code of the City of Wichita and adopting by reference the Wichita-Sedgwick County Unified Zoning Code, October 28, 1999, Edition prepared by the MAPC; and repealing Ordinance No. 43-558 as codified in Section 28.04.010, introduced and under the rules laid over.

A 99-36

A 99-36 - ADOPTION OF A RESOLUTION ESTABLISHING A FUTURE PUBLIC HEARING ON THE ANNEXATION OF ELIGIBLE PROPERTIES GENERALLY LOCATED SOUTH OF 45TH STREET NORTH, AND WEST OF WEBB ROAD TO THE CITY OF WICHITA, KANSAS. (District II)

Agenda Report No. 99-1145.

A resolution establishing a future public hearing date of January 11, 2000, for consideration of a unilateral annexation was approved. The properties proposed for annexation are located south of 45th Street North, and west of Webb Road.

This is the second phase of a two-phase annexation. The first phase was officially approved October 22, 1999, and brought 120 acres into the City. The subject area of the second phase consists of approximately 26 acres and five (5) properties (all are unplatted). The land-use pattern consists of three (3) residential tracts and two (2) undeveloped tracts. The entire area is zoned "SF-20" Single Family Residential, which will convert to the "SF-6" Single-Family Residential district upon annexation (unless otherwise requested by the property owners). The

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majority of the land proposed for annexation is located within the area identified as "low-density residential," in the Land Use Guide Map in the Wichita-Sedgwick County Comprehensive Plan: Preparing for Change. The proposed area for annexation is also within the "new growth" boundary found in the comprehensive plan.

The proposed annexation will allow for the continuation of the City's growth in the northeast part of Wichita. Many properties in the annexation area are already served by 2-inch to 4-inch Rural Water District #1 mains located throughout the area, with a 4-inch to 6-inch main located in the Webb Road right-of-way. Currently, the City has a 20-inch main in Webb Road up to a point ½ mile south of 45th Street North, but has no C.I.P. projects to extend this line further north. As for sanitary sewer, all of the properties in the proposed annexation area are currently served by private sewer systems. City sewer lines (8 inch) are located to the west and south, with a 15 inch main located approximately ¼ mile southwest of the area proposed for annexation.

To proceed with this annexation, the Council must adopt a resolution establishing a hearing date. Once the hearing date is established, a plan for extension of municipal services to the area will be placed on file in the City Clerk's Office. The Service Extension Plan outlines the City's intention to provide major municipal services to the area. A copy of the Service Extension Plan is attached for reference.

The total appraised value of the land and improvements proposed for annexation is \$145,090, resulting in an annual City Ad Valorem tax revenue of approximately \$536. Major municipal services to be provided to this area upon annexation are street maintenance, ditch cleaning, culvert cleaning, fire protection, police protection, building code enforcement, and health code enforcement. The operating departments currently delivering these services will fund them upon annexation. Major municipal services, such as local street improvements, water and sewer service, may be provided to this area upon request of the property owners. The cost of municipal services requested by the property owners will be distributed among the City at large and the benefiting property owners according to current City policies.

In the absence of an annexation request from a property owner, State law requires the adoption of a resolution by the City Council indicating the City's intent to annex, a description of the property to be annexed, and a notice of the time and place for a public hearing to consider the matter. Copies of the resolution must be sent (via certified mail) to all owners of the properties proposed for annexation within 10 days of adoption. Also, the resolution must be published once in the official City newspaper not less than one week and not more than two weeks prior to the public hearing date. A report stating the plans for the extension of municipal services to the proposed annexation area must also be placed on file for public inspection in the City Clerk's Office.

Motion --
-- carried

Knight moved that the service plan be approved and the Resolution setting the hearing date be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-444

A Resolution declaring an interest in, and establishing a public hearing date for considering the unilateral annexation of property located south of 45th Street North, and west of Webb Road to the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. (A-99-36)

S/D 99-50

S/D 99-50 - PLAT OF BALTHROP 3RD ADDITION LOCATED ON THE NORTHEAST CORNER OF CENTRAL AND GREENWICH. (District II)

Agenda Report No. 99-1146.

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (12-0)

This plat is zoned Limited Commercial and is subject to a Community Unit Plan (DP-232).

Although this site is located in the City of Wichita, it will use the County's Four Mile Creek sanitary sewer system and petitions for improvements will be handled by the County. Another petition, 100%, has been submitted for drainage improvements. Both City and County Certificates of Petitions have also been submitted.

As required by the drainage plan for this site, a cross-lot drainage agreement has been submitted by the Applicant. In order to assure access between the lots, a cross-lot circulation agreement has been submitted.

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This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificates of Petitions, cross-lot drainage and cross-lot circulation agreement will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the documents and plat be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-99-445

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Sewer No. 530 (north of Central, east of Greenwich) Project No. 468-83041, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

V 2198

V 2198 - REQUEST TO VACATE DRAINAGE EASEMENT LOCATED SOUTH OF 25TH STREET NORTH AND WEST OF WASHINGTON. (District VI)

Agenda Report No. 99-1147.

Staff Recommendation: Approve vacation drainage easement.
MAPC Recommendation: Approve vacation of drainage easement. (unanimous)

The applicant is requesting to vacate the described drainage easement along his north property line for expansion of his salvage business. This easement is in excess of the 20 feet from the top bank of the drainage ditch needed for maintenance, which has been determined unnecessary by the City Engineer's Office and the Director of Public Works.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Motion --
-- carried

Knight moved that the vacation be approved and the and the necessary signatures be authorized. Motion carried 7 to 0.

V 2181

V 2181 - REQUEST TO VACATE A BUILDING SETBACK AND WALL EASEMENT LOCATED SOUTH OF 21ST STREET NORTH AND WEST OF VALLEYVIEW. (District V)

Agenda Report No. 99-1148.

Staff Recommendation: Approve vacation.
MAPC Recommendation: Approve vacation. (unanimous)

The applicant is requesting to vacate the 35 foot platted building setback and five foot wall easement along the eastern property line. This would allow for a larger commercial building to be constructed upon this lot. The property to the east is zoned "GO" General Office and has a five foot platted wall easement along the south and east property lines. The CUP was developed prior to the area to the east being rezoned for "GO" General Office uses.

The applicant was required to submit an administrative adjustment to remove the wall easement from the CUP along his property line. This Administrative Adjustment (to DP-197) was approved on August 4, 1999.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the applicant shall submit an administrative adjustment to remove the building setback and wall easement from the east line of Parcel 4 of the Greystone C.U.P. No written protests have been filed.

Motion --
-- carried

Knight moved that the vacation be approved and the and the necessary signatures be authorized. Motion carried 7 to 0.

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EXECUTIVE SESSION

Motion --

Knight moved that the Council recess to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to legal advice and contract negotiations, confidential data relating to the financial affairs or trade secrets of a business, and the regular meeting be resumed at 11:00 a.m. in the City Council Chambers. Motion carried 7 to 0.

-- carried

RECESS

The City Council recessed at 10:40 a.m. and reconvened at 11:00 a.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

(The City Council returned to take up Item No. 9; action is shown in Agenda order.)

ADJOURNMENT

The City Council meeting adjourned at 11:10 a.m.

Pat Burnett CMC
City Clerk